

### **REMARKS**

The Office Action dated March 11, 2009 has been received and carefully noted. The following remarks are being submitted as a full and complete response thereto. Claims 1 and 2 are pending. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

#### **Double Patenting Rejection**

Claims 1-2 are rejected on the ground of nonstatutory obviousness-type double patenting for being unpatentable over Claims 1-7 of U.S. Patent No. 7,097,151 B2 to Akabane.

The Applicant submits herewith a terminal disclaimer in which the Applicant disclaims the terminal part of any patent granted on the present application which would extend beyond the expiration date of any patent granted on U.S. Patent No. 7,097,151.

Accordingly, withdrawal of the double patenting rejection is respectfully requested. Applicants respectfully submit that claims 1-2 contain allowable subject matter.

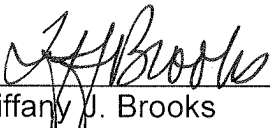
#### **Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of Claims 1 and 2, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing attorney docket number 107348-00595.**

Respectfully submitted,

  
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Enclosure: Terminal Disclaimer